

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ChipBLASTER, INC., and )  
GREGORY S. ANTOUN, )  
 )  
Plaintiffs, )  
 )  
v. )  
MIKE KENNEY TOOL, INC., )  
d/b/a COOLJET SYSTEMS, )  
 )  
Defendant. )  
 )  
AND RELATED CROSS-COMPLAINT )

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Civil Action No. 04-250 Erie

JUDGE MCLAUGHLIN

MOTION FOR RECONSIDERATION  
OR, IN THE ALTERNATIVE,  
CLARIFICATION OF THE COURT'S  
JUNE 29, ORDER DENYING  
DEFENDANT'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT

MOTION

CoolJet, by and through its undersigned counsel, moves this Court for reconsideration of its June 29, 2005 Order denying CoolJet's motion for partial summary judgment of noninfringement, asking the Court to vacate the June 29, 2005 Order, and find as a matter of law that the accused products do not infringe the patent-in-suit, either literally or under the doctrine of equivalents.

Should the Court deny CoolJet's motion for reconsideration, CoolJet requests that the Court clarify the June 29, 2005 Order by providing a claim construction for the following claim language:

“[A] computer determines the speed of the pump motor based on coolant pressure and the flow area of the orifice means of the tool.”

This motion is based upon the attached Memorandum of Points and Authorities, the complete records and files of this action, and on such oral and documentary evidence as may be presented prior to a decision on this motion by the Court.

Dated: July 21, 2005

By: s/Leland P. Schermer

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MIKE KENNEY TOOL, INC.,  
D/B/A COOLJET SYSTEMS

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing MIKE KENNEY TOOL INC.'S MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, CLARIFICATION OF THE COURT'S JUNE 29, ORDER DENYING DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT (WITH TRANSCRIPT OF JUNE 29 PROCEEDINGS AS EXHIBIT A THERETO), and MIKE KENNEY TOOL INC.'S MEMORANDUM IN SUPPORT OF ITS MOTION, to be served this 21st day of July, 2005, via United States First Class Mail, postage prepaid, on counsel of record for Plaintiffs/Counterdefendants as follows:

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## EXHIBIT A